



DEPARTMENT OF THE NAVY

NAVY ENVIRONMENTAL HEALTH CENTER
2510 WALMER AVENUE
NORFOLK, VIRGINIA 23513-2617

NAVENVIRHLTHCENINST 5100.11F

CS
28 MAR 2001

NAVENVIRHLTHCENINST 5100.11F

Subj: EMPLOYEE REPORTS OF UNSAFE OR UNHEALTHFUL WORKING
CONDITIONS

Ref: (a) OPNAVINST 5100.23E

Encl: (1) OPNAV Form 5100/11
(2) Formal Appeals Procedures

1. Purpose. To establish policy and procedures for submitting employee reports of unsafe or unhealthful working conditions and the related appeals process at the Navy Environmental Health Center (NAVENVIRHLTHCEN).

2. Cancellation. NAVENVIRHLTHCENINST 5100.11E

3. Scope. This instruction applies to the NAVENVIRHLTHCEN home office.

4. Reporting Procedures

a. Any employee, or a representative of an employee is encouraged to report orally to his or her supervisor any practice or condition believed to be unsafe or unhealthful so that prompt corrective actions may be taken. Also, employees are encouraged to submit a report in writing to the Command Occupational Safety and Health (OSH) Officer using OPNAV Form 5100/11, enclosure (1).

b. The OSH Officer will advise the cognizant supervisor that a hazardous condition has been reported.

c. The OSH Officer and the cognizant supervisor will thoroughly investigate all reports brought to their attention.

d. No reprisals or other punitive action will be taken against any employee originating a report.

5. Responsibilities

a. Supervisors must:

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(1) Upon receiving a report of an unsafe or unhealthful working condition, initiate corrective action to abate the situation and notify the Directorate Head, and the OSH Officer of the report and any corrective action taken.

(2) Keep the reporting employee informed of all actions taken.

b. The OSH Officer must:

(1) Upon receipt of a hazard report, contact the originator to acknowledge receipt and discuss the seriousness of the reported hazard and advise the cognizant supervisor when a hazard has been reported.

(2) Investigate all reports brought to his or her attention. Alleged imminent danger situations shall be investigated immediately (within 24 hours) after reporting. Potentially serious situations must be investigated within three working days. If the reported situation involves a health hazard, it must be referred to the cognizant medical activity for investigation, as necessary.

(3) Provide an interim or complete response in writing to the originator of written reports within 10 working days of receipt. Interim reports must include the expected date for the complete response. If the reported hazard is verified, the complete response shall include a summary of the action taken for abatement. If the reported hazard is not verified, a reply including the rationale for the determination shall be included. The complete response shall encourage, but not require the originator to contact the OSH Officer informally if additional information is desired or if the response is not satisfactory.

c. Directors must ensure compliance with this instruction and assist the OSH Officer, as necessary.

6. Appeals

a. If the originator of the report is dissatisfied with the determination made or corrective action taken, the employee is encouraged to discuss the matter with the OSH Officer. If, after such discussion, the originator still believes the matter has not been properly resolved, the employee may appeal the matter in writing to the Commanding Officer.

b. The written appeal to the Commanding Officer shall include the following information:

(1) A detailed description of the alleged hazard, including the location of the federal standard violated (if known). A copy of the original report will suffice.

(2) How, when, and to whom the original report of the alleged hazard was submitted.

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(3) What actions (if known) were taken as a result of the original report.

c. The Commanding Officer, or his representative, will respond to the originator of the appeal within 10 days.

d. If the originator still remains dissatisfied or has not received a response within 20 working days, he or she may appeal the action as outlined in enclosure (2).

7. Posting of this Instruction. This instruction must be conspicuously posted on the Safety Bulletin Board along with copies of OPNAV 5100/11 Forms, enclosure (1), and must remain posted until cancelled by a more recent instruction or removal is directed by the Commanding Officer.

8. Recordkeeping. Copies of related reports and records of action taken to abate unsafe working conditions must be retained by the OSH Officer/Manager for five years following the end of the calendar year of the report.

9. Privacy Act Statement. All records must be maintained following the provisions of the Privacy Act of 1974 (Public Law 93-579, 5 USC 552a)



D. M. SACK

Distribution: (NAVENVIRHLTHCENINST 5215.2P)
List V (All NAVENVIRHLTHCEN personnel)

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NAVY EMPLOYEE REPORT OF UNSAFE OR UNHEALTHY WORKING CONDITION

**THIS FORM IS PROVIDED FOR THE ASSISTANCE OF AN EMPLOYEE
AND IS NOT INTENDED TO CONSTITUTE THE ONLY METHOD BY WHICH A REPORT MAY BE SUBMITTED**

1. THE UNDERSIGNED (check one) ☐ EMPLOYEE ☐ REPRESENTATIVE OF EMPLOYEES

BELIEVES THAT A VIOLATION OF AN OCCUPATIONAL SAFETY OR HEALTH STANDARD WHICH IS A JOB SAFETY OR HEALTH HAZARD HAS OCCURRED AT

a. Navy installation/activity and mailing address

b. Building or worksite where alleged violation is located, including address

2. NAME AND PHONE NUMBER OF GOVERNMENT SUPERVISOR AT SITE OF VIOLATION

3. DOES THIS HAZARD IMMEDIATELY THREATEN DEATH OR SERIOUS PHYSICAL HARM? ☐ NO ☐ YES

4. BRIEFLY DESCRIBE THE HAZARD WHICH EXISTS INCLUDING THE APPROXIMATE NUMBER OF EMPLOYEES EXPOSED TO OR THREATENED BY SUCH HAZARD

5. IF KNOWN, LIST BY NUMBER AND/OR NAME, THE PARTICULAR STANDARD (OR STANDARDS) ISSUED BY THE AGENCY WHICH YOU CLAIM HAS BEEN VIOLATED

6. TO YOUR KNOWLEDGE, HAS THIS VIOLATION BEEN THE SUBJECT OF ANY UNION/MANAGEMENT GRIEVANCE OR HAVE YOU (OR ANY ONE YOU KNOW) OTHERWISE CALLED IT TO THE ATTENTION OF, OR DISCUSSED IT WITH, THE GOVERNMENT SUPERVISOR

☐ NO

☐ YES (List results, including any efforts by management to correct violation)

7. EMPLOYEE TYPED OR PRINTED NAME

8. EMPLOYEE SIGNATURE

9. EMPLOYEE ADDRESS

10. EMPLOYEE PHONE NUMBER

11. MAY YOUR NAME BE REVEALED?

☐ NO

☐ YES

12. ARE YOU A REPRESENTATIVE OF EMPLOYEES?

☐ NO

☐ YES

13. DATE FILED:

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INSTRUCTIONS FOR COMPLETING OPNAV FORM 5100/11
NAVY EMPLOYEE REPORT OF UNSAFE OR UNHEALTHFUL
WORKING CONDITION

1. Complete the form giving as much information as possible regarding the location and the type of hazard present. All Navy military and civilian personnel are strongly encouraged to report all unsafe and unhealthful conditions to the supervisor first.
2. Submit the completed form to the OSH Officer.
3. To remain anonymous, mark **NO** in block 11 of the form.
4. The OSH Officer must provide an interim report or complete response in writing to the originator of the report within ten working days.
5. If the form is not signed, the report must still be investigated by the OSH Officer and a response posted in the area of the hazard.
6. All personnel are encouraged to contact the OSH Officer if more information or clarification of procedures are needed or if dissatisfied with the response received.
7. Navy civilian personnel may also submit complaints alleging workplace hazards directly to the Department of Labor; however, the Secretary of Labor encourages employees to use the Navy in-house hazard reporting procedure as the most expeditious means to achieve abatement.
8. Navy personnel will not be subject to restraint, interference, coercion, discrimination, or reprisal by virtue of their participation in the command's OSH program.

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FORMAL APPEALS PROCEDURES

1. Subsequent Appeals

a. An employee's first appeal to the Commanding Officer may be made to the next higher level in the chain of command. Each appeal shall include actions taken at the previous level and reasons for dissatisfaction with the actions taken.

b. The sequence of appeals is:

(1) Second Appeal: Chief, Bureau of Medicine and Surgery
Navy Department
2300 E Street NW
Washington, DC 20372-5300

(2) Third Appeal: Chief of Naval Operations (N45)
2000 Navy Pentagon
Washington, DC 20350-5000

(3) Fourth Appeal: Assistant Secretary of the Navy
Installation and Environment
(ASN I&E)
1000 Navy Pentagon
Washington, DC 20360-5000

(4) Fifth Appeal: Deputy Under Secretary of Defense
Environment and Security (DUSD (ES))
Washington, DC 20301-3000

(This is the FINAL appeal authority for military personnel)

(5) Sixth Appeal: Office of Federal Agency Safety Programs
U. S. Department of Labor
Washington, DC 20210

(This is the FINAL appeal authority for civilian personnel)